

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RYAN, LLC,

Plaintiff,

CHAMBER OF COMMERCE OF
THE UNITED STATES OF
AMERICA, BUSINESS
ROUNDTABLE, TEXAS
ASSOCIATION OF BUSINESS, and
LONGVIEW CHAMBER OF
COMMERCE,

*Plaintiff-
Intervenors,*

v.

FEDERAL TRADE COMMISSION,

Defendant.

Case No. 3:24-cv-986-E

PLAINTIFF-INTERVENORS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedural 56(a), plaintiff-intervenors the Chamber of Commerce of the United States of America, Business Roundtable, Texas Association of Business, and Longview Chamber of Commerce (plaintiff-intervenors) respectfully move for summary judgment on

Counts I to VI included in plaintiff-intervenors' Complaint for Declaratory and Injunctive Relief. ECF No. 37.

1. There are no genuine issues of material fact and plaintiff-intervenors are entitled to a Summary Judgment as a matter of law. Plaintiff-intervenors' contentions of fact and law, arguments and authorities in support of summary judgment, and each of the matters required by LR 56.3(a) and Procedures for Cases Assigned to District Judge Ada Brown and Standing Order, Rule II(A), are set forth in the plaintiff-intervenors' Brief in Support of the plaintiff-intervenors' Motion for Summary Judgment.

2. The following supports the plaintiff-intervenors' Motion for Summary Judgment:

- a. Plaintiff-intervenors' Complaint for Declaratory and Injunctive Relief (ECF No. 37);
- b. The Court's Memorandum Opinion and Order Granting Plaintiff and Plaintiff-Intervenors' Motion for Stay of Effective Date and Preliminary Injunction (ECF No. 153); and
- c. Plaintiff-intervenors' Brief in Support of Plaintiff-Intervenors' Motion for Summary Judgment and the summary judgment evidence attached thereto.

Plaintiff-intervenors respectfully request the following relief against the defendant, its agents, servants, employees, attorneys, and all persons and entities in active concern or participation with them directly or indirectly:

A declaratory judgment that the Noncompete Rule is arbitrary, capricious and otherwise contrary to law under Administrative Procedure Act § 706(2)(A); and

An order vacating and setting aside the Noncompete Rule pursuant to Administrative Procedure Act § 706(2) or, in the alternative, enjoining the defendant from implementing or enforcing the Noncompete Rule against the plaintiff-intervenors and their members.

Dated: July 19, 2024

Respectfully submitted,

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CERTIFICATE OF WORD COUNT

This Motion for Summary Judgment complies with the Procedures for Cases Assigned to District Judge Ada Brown and Standing Order, Rule II(A), because it contains 282 words.

/s/ Robert L. Sayles
Robert L. Sayles

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2024, I electronically transmitted the attached document to the Clerk of the Court and all counsel of record using the ECF System for filing and service in accordance with Local Rule 5.1.

/s/ Robert L. Sayles
Robert L. Sayles